

UNITED STATES DISTRICT COURT

District of Nebraska

111 S. 18<sup>th</sup> Plaza, Suite 3259

Omaha, Nebraska 68102-1322

Joseph F. Bataillon  
Senior United States District Judge

Phone (402) 661-7302  
Fax (402) 661-7306

August 8, 2024

Brian Jorde and Christian Williams  
DOMINA LAW GROUP  
2425 S. 144<sup>th</sup> St.  
Omaha, NE 68144-3267

Rex A. Rezac and Spencer Werth  
FRASER, STRYKER LAW FIRM  
409 South 17th Street  
Suite 500, Energy Plaza  
Omaha, NE 68102

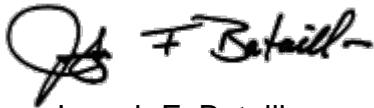
RE: *Heft v. State Farm Mutual Automobile Insurance Company*, 8:22cv266

Counsel,

I have reviewed the evidence submitted by the parties in relation to the defendant's motion for summary judgment, which includes Filing No. 45 and corresponding attachments 1–5.

The evidence index lists the depositions of the plaintiff and all the witnesses to the accident. However, the plaintiff's deposition is not included in the filing. In its place is a duplicate deposition of James Duran. My staff has unsuccessfully attempted to correct this problem. As a result, I am asking you, directly, to resolve this problem. Either the plaintiff's deposition is part of the evidence, or it isn't. If the plaintiff's deposition is not filed by close of business Monday, August 12, 2024, the Court will consider the record closed and proceed accordingly.

Yours truly,



Joseph F. Bataillon  
Senior United States District Judge